



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

MAR 1 - 2013

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Article Number: 7005 3110 0000 5966 2298

Ms. Cynthia M. Ziarko, P.E., Commissioner
Department of Public Works
Town Of Greece
647 Long Pond Road
Greece, New York 14612

**Re: Town of Greece Municipal Separate Storm Sewer System (MS4)
NPDES Permit No. NYR20A133
MS4 Program Audit: September 18, 2012 - September 20, 2012**


Dear Ms. Ziarko:

This letter is in reference to the Audit of your Phase II Municipal Separate Storm Sewer System (MS4) program conducted by the United States Environmental Protection Agency (EPA), Region 2, on September 18, 2012 through September 20, 2012, performed pursuant to 40 C.F.R. §122.41(i) and the NYSDEC's State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from MS4s (GP-0-10-020).

Within **forty-five (45) calendar days** of receipt of this letter, please respond to the EPA in writing with the actions you have taken to address each of the **Potential Violations** and **Areas of Concern** identified in the enclosed Audit Report.

If you have any questions regarding the Audit Report, please contact me at (212) 637-4244 or Ms. Kimberly McEathron, of my staff, at (212) 637-4228.

Sincerely,



Murray Lantieri, for

Douglas McKenna, Chief
Water Compliance Branch

Enclosure

cc: Joseph DiMura, P.E, Director, Bureau of Water Compliance Programs, NYSDEC
Dixon Rollins, Regional Water Engineer, NYSDEC, Region 8
John Gauthier, Town of Greece (electronic)



United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12 <input type="checkbox"/> 13 <input type="checkbox"/> 14 <input type="checkbox"/> 15 <input type="checkbox"/> 16 <input type="checkbox"/> 17 <input type="checkbox"/> 18 <input type="checkbox"/> 19 <input type="checkbox"/> 20 <input type="checkbox"/> 21 <input type="checkbox"/> 22 <input type="checkbox"/> 23 <input type="checkbox"/> 24 <input type="checkbox"/> 25 <input type="checkbox"/> 26 <input type="checkbox"/> 27 <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 31 <input type="checkbox"/> 32 <input type="checkbox"/> 33 <input type="checkbox"/> 34 <input type="checkbox"/> 35 <input type="checkbox"/> 36 <input type="checkbox"/> 37 <input type="checkbox"/> 38 <input type="checkbox"/> 39 <input type="checkbox"/> 40 <input type="checkbox"/> 41 <input type="checkbox"/> 42 <input type="checkbox"/> 43 <input type="checkbox"/> 44 <input type="checkbox"/> 45 <input type="checkbox"/> 46 <input type="checkbox"/> 47 <input type="checkbox"/> 48 <input type="checkbox"/> 49 <input type="checkbox"/> 50 <input type="checkbox"/> 51 <input type="checkbox"/> 52 <input type="checkbox"/> 53 <input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56 <input type="checkbox"/> 57 <input type="checkbox"/> 58 <input type="checkbox"/> 59 <input type="checkbox"/> 60 <input type="checkbox"/> 61 <input type="checkbox"/> 62 <input type="checkbox"/> 63 <input type="checkbox"/> 64 <input type="checkbox"/> 65 <input type="checkbox"/> 66 <input type="checkbox"/> 67 <input type="checkbox"/> 68 <input type="checkbox"/> 69 <input type="checkbox"/> 70 <input type="checkbox"/> 71 <input type="checkbox"/> 72 <input type="checkbox"/> 73 <input type="checkbox"/> 74 <input type="checkbox"/> 75 <input type="checkbox"/> 76 <input type="checkbox"/> 77 <input type="checkbox"/> 78 <input type="checkbox"/> 79 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 82 <input type="checkbox"/> 83 <input type="checkbox"/> 84 <input type="checkbox"/> 85 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 88 <input type="checkbox"/> 89 <input type="checkbox"/> 90 <input type="checkbox"/> 91 <input type="checkbox"/> 92 <input type="checkbox"/> 93 <input type="checkbox"/> 94 <input type="checkbox"/> 95 <input type="checkbox"/> 96 <input type="checkbox"/> 97 <input type="checkbox"/> 98 <input type="checkbox"/> 99 <input type="checkbox"/> 100 <input type="checkbox"/>					

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number)	Entry Time/Date	Permit Effective Date
Town of Greece 647 Long Pond Road Greece, NY 14612	9:00 AM 9/18/2012	5/1/2010
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Exit Time/Date	Permit Expiration Date
John Gauthier, Stormwater Officer, Town of Greece 647 Long Pond Road, Greece, NY 14612 Phone: 585-723-2376	3:30 PM 9/20/2012	4/30/2015
Name, Address of Responsible Official/Title/Phone and Fax Number	Other Facility Data (e.g., SIC NAICS, and other descriptive information)	
Cynthia M. Ziarko, Commissioner, DPW Town of Greece, 647 Long Pond Road Greece, NY 14612 Phone: 585-723-2252		

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input checked="" type="checkbox"/> Permit	<input type="checkbox"/> Self-Monitoring Program	<input type="checkbox"/> Pretreatment	<input checked="" type="checkbox"/> MS4
<input checked="" type="checkbox"/> Records/Reports	<input type="checkbox"/> Compliance Schedules	<input type="checkbox"/> Pollution Prevention	
<input checked="" type="checkbox"/> Facility Site Review	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Storm Water	
<input type="checkbox"/> Effluent/Receiving Waters	<input checked="" type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Combined Sewer Overflow	
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
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<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

See attached audit report.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
Kimberly McEathran	USEPA/DECA-WCB/212-637-4228	2/20/13
Signature of Management QA Reviewer	Agency/Office/Phone and Fax Numbers	Date
Acting Field Chief	EPA/DECA-WCB 212-637-7976	2/27/13

**Municipal Separate Storm Sewer System (MS4) Audit
Town of Greece (NYR20A133)
September 18, 2012 – September 20, 2012**

Prepared by:

**United States Environmental Protection Agency Region 2
290 Broadway
New York, New York 10007**

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1. INTRODUCTION

On September 18, 2012 through September 20, 2012, the United States Environmental Protection Agency (EPA), Region 2, conducted a program evaluation, or Audit, of the Town of Greece (Town) Municipal Separate Storm Sewer System (MS4). EPA is granted the authority to conduct the Audit through 40 CFR 122.41(i). Ms. Kimberly McEathron of EPA Region 2 conducted the Audit. Ms. Katherine Mann, also from EPA Region 2, was present for the Audit. EPA staff was accompanied by Mr. Dixon Rollins from New York State Department of Environmental Conservation (NYSDEC) Region 8. For the detailed Audit agenda see Attachment A.

The following individuals represented the Town of Greece at the Audit:

- Duane Buck, Town of Greece;
- Russ Cammarata, Department of Public Works;
- Leo Carroll, Director, Technical Services;
- Doug Case, Department of Public Works;
- Scott DeHollander, P.E., Deputy Commissioner, Department of Public Works;
- Tony DelGaizo, Town of Greece;
- Greg Feeney, Town of Greece;
- John Freel, P.E., Associate Engineer, Department of Public Works;
- John Gauthier, P.E., Associate Engineer, Department of Public Works;
- Bob Johnson, Town of Greece;
- Rob Luedke, Senior Labor Foreman, Department of Public Works;
- John Plummer, Department of Public Works; and
- Cindy Ziarko, P.E., Commissioner, Department of Public Works.

The following individuals represented the Monroe County Stormwater Coalition at the Audit:

- Paul Sawyko, Stormwater Coalition Staff; and
- Todd Stevenson, Stormwater Coalition Staff.

The purpose of the Audit was to determine the Town's compliance with the terms of its State Pollutant Discharge Elimination System (SPDES) MS4 Permit and to evaluate the current implementation status of the Town's stormwater management program. Prior to conducting the Audit, EPA Region 2 reviewed program materials received from the Town (see Attachment B). During the Audit, the Town provided EPA Region 2 with copies of additional program materials (see Attachment B). For this Audit, EPA Region 2 evaluated specific aspects of each Minimum Control Measure (MCM): Public Education and Outreach, Public Involvement and Participation, Construction Site Stormwater Runoff Control, Post-Construction Stormwater Management, Pollution Prevention and Good Housekeeping for Municipal Operations and Illicit Discharge, Detection and Elimination. EPA Region 2's Audit included in-field verification of program implementation.

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2. HISTORY & BACKGROUND

The State of New York is the delegated permitting and enforcement authority for the National Pollutant Discharge Elimination System (NPDES) or State Pollutant Discharge Elimination System (SPDES) program. NYSDEC is the delegated agency that implements the SPDES program and as such, issued a SPDES General Permit for Storm Water Discharges from Municipal Separate Storm Sewer Systems (GP-0-10-002), which became effective on May 1, 2010 and expires on April 30, 2015 (“MS4 General Permit” or “Permit”).

The Town of Greece submitted a Notice of Intent (NOI) to NYSDEC which was received by NYSDEC on March 5, 2003. Subsequently, the Town received Permit coverage under the MS4 General Permit (GP-02-02) (NYR20A133), which became effective January 8, 2003 and expired on January 8, 2008. NYSDEC issued an Acknowledgement of Notice of Intent to the Town of Greece dated March 20, 2003. Permit coverage remained in full force and effect and was automatically carried over upon the reissuance of MS4 General Permit (GP-08-002), which became effective on May 1, 2008 and expired on April 30, 2010. Upon expiration, permit coverage was automatically carried over to the current permit, MS4 General Permit (GP-0-10-002), which became effective on May 1, 2010 and expires on April 30, 2015.

3. PROGRAM EVALUATION RESULTS

A. Evaluation of Program Management and Effectiveness; Agreements with Other Municipalities; Stormwater Pollution Prevent Program (SWMP) Plan

1. Findings:

The Town of Greece, located in Monroe County, New York is approximately 41.78 square miles of land and has approximately 96,095 residents according to 2010 Census data. The Town is bordered by Lake Ontario to the north, the Genesee River and City of Rochester to the east, the Town of Gates to the south, the Town of Ogden to the southwest and the Town of Parma to the west.

Permitted MS4s within, and separate from, the Town of Greece include the NYS Canal Corporation, Monroe County Department of Transportation and NYS Department of Transportation (NYSDOT). Permitted MS4s adjacent to the Town of Greece include the City of Rochester, Town of Gates, Town of Ogden and Town of Parma. All of the MS4s within or adjacent to the Town of Greece are members of the Monroe County Stormwater Coalition with the exception of the NYSDOT and the NYS Canal Corporation.

According to the Town’s Stormwater System Map printed from Geographic Information System (GIS) for EPA during the Audit, the Town’s MS4 outfalls discharge stormwater to Little Pond, Round Pond, Buck Pond, Long Pond, Cranberry Pond, Buttonwood Creek, Salmon Creek, Lake Ontario, Genesee River, Black Creek, Northrup Creek, Smith Creek, Slater Creek and Larkin

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Creek. The Town's stormwater collection system is a combination of storm sewers, outfalls, catch basins, recharge basins, leaching pools, and infiltration basins. Black Creek, Buck Pond, Long Pond and Cranberry Ponds are listed in Appendix 2 of the Permit as being impaired waterbodies with phosphorus as the primary pollutant of concern. The Genesee River is listed in Appendix 2 of the Permit as being impaired with phosphorus, pathogens and silt/sediment listed as the primary pollutants of concern.

Mr. John Gauthier, P.E., Associate Engineer, Department of Public Works, is the stormwater contact for the Town of Greece and is responsible for coordinating the SWMP implementation. According to the SWMP implementation organization chart provided by the Town of Greece, implementing the stormwater program is a coordinated effort between the Department of Public Works, Technical Services, Constituent Services and the Facilities and Maintenance Staff of the Greece Police Department (see Attachment C). The Town of Greece also coordinates SWMP implementation with the Monroe County Stormwater Coalition ("Coalition"). According to Town representatives, the Coalition implements a wide range of projects and programs including, public education, construction, illicit discharge and pollution prevention SWMP related items. The Town is one of twenty-nine (29) member municipalities of the Coalition, including the City of Rochester, Town of Gates and Monroe County. The Coalition was formed in 2000 through a five (5) year term intermunicipal agreement. The most recent intermunicipal agreement was executed on July 20, 2010 (see Attachment D). According to the agreement, members who own or operate a MS4 must comply with applicable State and Federal regulations, the Coalition is funded through annual membership fees and grants, each member municipality designates an official representative to serve on the Coalition and Monroe County serves as the fiscal agent and host of the Coalition. According to Town representatives, the Coalition meets on a monthly basis and has three (3) staff persons in addition to the member representatives.

SWMP Plan

The Coalition developed a Stormwater Management Program (SWMP) Plan to be used as a guide for its member municipalities to implement their own program. The most recent version of the Coalition's SWMP Plan is available on its website and is dated August 20, 2009. The Coalition's SWMP Plan specifies what programs and projects the Coalition implements and advises members regarding what tasks must be completed by the members to comply with the Permit. According to Town and Coalition representatives, the Coalition's SWMP Plan will be updated to reflect the most recent Permit issued in 2010.

The Town's Stormwater Management Program (SWMP) Plan was originally developed by Mr. Gauthier in 2003 and the most recent version provided by the Town of Greece is dated August 31, 2012. According to Town representatives, the Town reviews and updates the SWMP Plan at least annually during the Annual Reporting process. According to Town representatives, the Town maintains electronic copies of all revised versions of the Town SWMP Plan organized by the revision date.

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Third Parties

The Town relies on third parties, including licensed garbage haulers and Bergmann Associates to conduct work relevant to the MS4 program. The Town has a contractual agreement with Bergmann Associates that states Bergmann Associates must comply with State regulations as further detailed in the IDDE portion of this Audit Report. The Town provides licenses to garbage haulers in Town but the third party contractors have not signed the certification statement listed in the MS4 Permit as further detailed in the Pollution Prevention and Good Housekeeping portion of this Audit Report.

Town Employee Training

According to Town representatives, on a seasonal basis the Town Senior Staff provides formal in house training to all Department of Public Works (DPW) staff (approximately 87 DPW staff members) regarding the DPW Procedures and Policies Manual and Best Management Practices (BMPs) as part of the Town's MS4 Pollution Prevention and Good Housekeeping program. This training program is called "Snow Day" when held prior to the winter season and attendance is documented by the Town to ensure that all necessary Town employees receive this training. According to Town documentation, the most recent Snow Day at the time of the Audit was held on November 9, 2011.

According to Town documentation, Town staff responsible for implementing the construction stormwater MCM of the permit, including engineering and inspection staff members, attended the NYSDEC endorsed 4 hour Erosion and Sediment Control Required Training on March 24, 2010. Additional Town staff involved in construction related activities such as those involved in road and sewer construction attended this training on June 19, 2012. The Town provided EPA with a detailed list documenting employee MS4 related training (see Attachment E). As documented on the September 12, 2012 Town of Greece Conference Request Form, Town of Greece DPW employees planned to attend a Code Enforcement Officer Site Plan Review and IDDE Training session in conjunction with the NYSDEC on October 16, 2012.

Annual Reports completed by the Town list additional in house stormwater management trainings being held for employees on July 25, 2008, October 21, 2009 and February 28, 2011.

B. Public Education and Outreach / Public Involvement and Participation

1. Findings:

The Town's SWMP Plan identifies phosphorus as a Pollutant of Concern (POC) within the MS4 and identifies Buck Pond, Long Pond and Cranberry Pond as waterbodies of concern due to these waterbodies being listed in the Permit as impaired due to phosphorus. The Town's SWMP Plan also identifies target pollutant sources such as construction site runoff, impacts from new and re-development projects, illicit discharges, homeowner activities and local/regional pollutants of concern.

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According to both the Town and Coalition SWMP Plans, the Coalition implements the H2O Hero Media Campaign in partnership with the Water Education Collaborative and the Ad Council of Rochester with a goal to help the general public within the member municipalities understand storm water pollution. The H2O Hero Campaign as well as other public education initiatives implemented by the Coalition and the Town consist of a variety of resources and avenues as summarized below in Table 1:

Table 1

Description	When Developed / Distributed	Audience / Recipient	Developed by and who implements
H2O Hero Comic Book	~2010	Comic book festival	Coalition
H2O Hero Billboards	2007-Annually	12 billboards around Monroe County	Coalition
H2O Hero website	2007		Coalition
H2O Hero Facebook page	2007	291 "Likes"	Coalition
H2O Hero storm drain marker, "Drains to Lake"	~100 installed	Volunteers at post-construction locations	Coalition
H2O Hero tattoo and septic system magnet			Coalition
H2O Hero door hangers		Coincide with storm drain marker	Coalition
H2O Hero exhibit at the Seneca Park Zoo	2011	Seneca Park Zoo attendees	Coalition
H2O Hero exhibit at the Rochester Museum and Science Center		Rochester Museum and Science Center attendees, 0.5 million/year	Coalition
H2O Hero Media Campaign (TV, newspaper, radio, online ads, and magazines)	2011-\$386,958 Ad council space bank and \$18,742 purchased TV ads		Coalition, Ad Council, Water Education Collaborative
Rain barrel instruction demonstration and pamphlets	Annually at Greentopia Environmental festival in Rochester	Hand out 300 pamphlets a year and at display booths	Coalition
Public Opinion Water Quality Phone Survey	2000, 2006, 2009, 2012	Monroe County residents	Coalition
"Living Next to a Wetlands" pamphlet	Annually	Mail to 12 residents a year (those who live next to a wetland) and at display booths	Coalition developed and Town distributed
Other pamphlets: "Living next to stormwater"	~2003	Residents and construction site	Coalition developed and

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management ponds”, “Lawn care and landscaping”, “Pools, fountains and spas”, “Make your home the solution to stormwater pollution”		operators, located in display booth	Town distributed
Monroe County Cleanup	2004-Annually, ~2,000 pounds of trash removed and ~100 volunteers/year	Girl Scout Troup, RIT students, Church members, volunteers	Coalition and Town, advertised on Town website, 2012 cleanup at Buck and Long Ponds
Greece Reports-Watershed, H2O hero, yard waste, recycling, county waste drop-off information	Seasonally each year	All Town residents	Town

In 2008, the H2O Hero website won a WebAward from the Web Marketing Association for outstanding achievement in web development. The Monroe County Stormwater Coalition also has its own website that is used to distribute stormwater and MS4 related material to the public. The Coalition tracks the number of visits the H2O Hero website as a measurable goal. According to Coalition representatives, the website hosting company only reports the top ten (10) referring websites to the H2O Hero website which include primarily the County website, Facebook and Google. According to Coalition representatives, approximately two-thirds of H2O Hero visitors come to the website directly by typing in the website address. Although the website hosting company has the ability to track visitors that come from the Town of Greece website because the Town of Greece website is not in the top ten (10), this amount is not reported to the Coalition. A link to the Coalition or H2O Hero websites from the Town’s website was not identified by EPA at the time of the Audit.

The Coalition documents all events, presentations, exhibits, field trips, clean ups and festivals it participates in for the purposes of educating the public regarding stormwater pollution in a spreadsheet more detailed than what is listed in Table 1 above. The Coalition’s table documents each event, the contact person, location, number of attendees and number of material distributed. According to the Coalition’s table, in 2011 through March 2012, the Coalition events had a total of 214,000 Monroe County residents participating.

Public complaints

According to Town representatives, all public complaints are received by dispatch or the Town office who then assigns a service request to the complaint. The Town of Greece service requests document details of the complaint such as the date time and location as well as details regarding the remedy performed by the Town (see Attachment F). According to Town representatives, the Town has had this service request system in place since the 1990’s. At the time of the Audit, the Town had written procedures for the receipt and follow up on public complaints regarding illicit

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connections and other MS4 related complaints from the public. Town DPW Sewer On-Call Duties and Procedures outlines various scenarios regarding the receipt of a complaint and the appropriate response in each scenario (see Attachment G). The Town has also developed an Improper Sewer Connection fact sheet to distribute to homeowners when investigating a possible improper sewer connection (see Attachment H). The DPW Sewer On-Call Duties and Procedures, Improper Sewer Connection Factsheets and Complaint Response are included in the Town's SWMP Plan regarding spill response. According to the Town's SWMP Plan, the Town has responded to 360 house calls between January 1, 2012 and August 31, 2012.

C. Illicit Discharge Detection and Elimination (IDDE)

1. Findings:

Outfall and Sewer System Mapping

Town representatives stated that all known MS4 outfalls have been digitally mapped along with surface waterbodies, aerial imagery, municipal boundaries, roads, and a portion of the sewer system piping. The Town's outfall table dated August 21, 2012 lists 983 outfalls. The outfall table includes receiving waters, pipe size, pipe material, outfall ID and latitude and longitude coordinates. According to Town representatives, the coordinates and outfall characteristics included for each outfall in this table were collected by summer interns in 2006 and 2007. According to Town representatives, the 986 outfalls represent all pipes discharging to a waterbody, including private drains not within the jurisdiction of the Town's MS4. According to the Town's SWMP Plan, the Town has implemented a five-year plan to identify, confirm and inspect all Town owned outfalls from the existing database and potentially any additional Town outfalls not currently mapped. The SWMP Plan states that approximately 22% of the entire Town system is complete as part of this plan and the completion date for the entire Town MS4 is March 10, 2017.

The Town has contracted Bergmann Associates to map 100% of all Town maintained sanitary and storm sewer structures located within the Town including catch basins but excluding outfalls. According to Town representatives, the Town will identify the Town outfalls and connections to the sewer system that Bergmann Associates maps. According to the Town's SWMP Plan, the GIS database developed from this project will be capable of reporting pipe maintenance history. The written agreement between the Town and Bergmann Associates for this project was signed on September 6, 2012. The agreement states that all work shall be completed on or before May 31, 2013. The agreement also states that the consultant shall comply with all State laws and Federal and Local statutes, ordinances and regulations that are applicable to the performance of the Agreement. At the time of the Audit, the Town had not developed a map showing the preliminary boundaries of the storm sewershed.

IDDE Ordinance

On December 18, 2007, the Town adopted the Stormwater Management Local Law which prohibits the discharge of any materials other than stormwater into the MS4. This local law also

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prohibits illicit connections to the MS4 and includes enforcement mechanisms such as suspended access to the MS4, fine and imprisonment. According to Town representatives and the Town's Annual Reports, this local law has been certified by an attorney representing the Town as equivalent to the NYS IDDE model local law. The Town's Stormwater Management Local Law is not mentioned in the Town's SWMP Plan.

Outfall Inspections

According to the Town and the Town's SWMP Plan, the Town has implemented a five-year plan to inspect all Town owned outfalls by March 10, 2017. The Town has developed written Illicit Discharge Detection and Elimination Outfall Inspection Procedures (see Attachment I). The Town's IDDE procedures state that 20% of the outfalls are to be inspected each year by staff from the Engineering Department using the Outfall Monitoring Observation Sheet (see Attachment J) and the Flow Chart for Illicit Discharge Detection Field Tests (see Attachment K). The Outfall Observation Sheet documents the weather conditions, outfall observations, flow observations and likelihood of an illicit discharge. The Flow Chart for Illicit Discharge Detection Field Tests aids in determining the source of flow using chlorine and ammonia as indicators. These written procedures and checklists provided by the Town are not included in the Town's SWMP Plan.

Additionally, outfall inspections are also conducted by the Town's Engineering Department in response to public complaints and are documented using the Service Request system.

According to Town representatives and the Town's SWMP Plan, all new construction is inspected by the Building Department inspector to ensure that sanitary sewage is not connected to the MS4. According to Town representatives, the Building Department uses software to document inspections in Building Permit Reports and has the ability to sort and search the data collected. According to Town representatives and Building Permit Reports provided by the Town, 92 homes and 16 townhomes were inspected by the Town in 2012 and 74 homes and 67 townhomes were inspected by the Town in 2011.

According to Town representatives, the Roads Program is also utilized by the Town to identify potential illicit connections. As part of the program, storm sewer pipes are televised by the Town prior to road resurfacing or construction and Town representatives look for illicit connections during this process.

According to the Town's Annual Reports, the Town conducted outfall reconnaissance inventory during dry weather at 20 outfalls in 2009, 60 outfalls in 2010 and 12 outfalls in 2011.

IDDE Investigation, Enforcement and Elimination

According to the Town's IDDE Outfall Inspection Procedures (see Attachment I) if an illicit discharge is suspected at an outfall as a result of the inspection conducted as described above, the inspector is to continue upstream until the indicator is isolated between two (2) manholes and dye test the properties between the two (2) manholes. If a cross connection is identified the

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property owner is notified and referred to the Town Code Enforcement Office. According to the Town's Cross Connect Summary dated 2011, the Town has confirmed thirteen (13) cross connections where the sanitary sewer is connected to the storm sewer (including 23, 32 and 72 Kirkstone Pass and 54 Erath Drive). According to Town documentation at the time of the Audit, two (2) of the identified cross connections have been repaired (at Dewey Avenue and at the intersection of English Road and Mt. Read Boulevard).

According to the Town's Annual Reports, the Town confirmed 9 illicit discharges in 2009, 1 in 2010 and 1 in 2011. According to the Town's Annual Reports, the Town has eliminated zero (0) illicit discharges in 2009, one (1) in 2010 and one (1) in 2011.

2. Field Components:

MS4 Outfalls and Illicit Connections

On September 20, 2012, EPA inspected three (3) MS4 outfalls located immediately downstream from four (4) Town identified illicit connections to the MS4 (23, 32 and 72 Kirkstone Pass and 54 Erath Drive). At the time of the Audit, the storm sewer manhole located at 12 Kirkstone Pass contained paper debris and the storm sewer manhole located at 92 Erath Drive contained rags, cloudy flow and had a strong ammonia odor. Because Outfall 779 was partially submerged with flow in Round Pond Creek, EPA inspectors sampled flow from the storm sewer manhole located downstream from 54 Erath drive at 92 Erath Drive immediately upstream from Outfall 779 using a plastic vial connected to a rod. EPA continuously dipped an Aquacheck Water Quality Test Strip for Ammonia into the plastic vial for over 30 seconds and the color of the test strip was darker than the 6.0 example color indicating greater than 6.0 ppm Total Ammonia in the storm sewer flow.

Weather conditions at the time of the outfall observations were dry and weather conditions in the forty-eight (48) hours prior to the outfall observations were dry on September 19, 2012 and wet on September 18, 2012 with approximately 0.56 inches of rain received. EPA's findings and observations from each outfall are summarized below in Table 2.

Table 2

Observed Outfall	Location Lat/Long	Receiving Waterbody	Address(es) of Upstream Illicit Connection(s)	Notable Outfall Observations
779	Immediately west of Erath Drive, 43.220564, -77.694073	Round Pond Creek	54 Erath Drive	Odor of ammonia at outfall, outfall partially submerged, paper observed in sewer immediately upstream from outfall, flowing clear, storm sewer flow sampling indicated elevated Total Ammonia (greater than 6.0 ppm)
585	North side of	Kirk Creek to	23, 32 and 72	72 inch concrete pipe, flow is

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	Vintage Lane, west of Kirk Creek 43.231147, -77.683154	Round Pond Creek to Round Pond	Kirkstone Pass	clear
586	North side of Vintage Lane, east of Kirk Creek 43.231147, -77.683154	Kirk Creek to Round Pond Creek to Round Pond	23, 32 and 72 Kirkstone Pass	72 inch concrete pipe, flow is clear

3. Addendum:

On November 30, 2012 subsequent to the Audit, the Town of Greece submitted to EPA a map showing the preliminary boundaries of the storm sewershed (see Attachment L) and provided an update regarding illicit connections identified by the Town that have been eliminated and/or repaired (see Attachment M). According to the Town's November 30, 2012 submission, thirteen (13) of the confirmed illicit connections have been eliminated in 2012 including the illicit connections located on Kirkstone Pass and Erath Drive. According to the Town submission, two (2) of the confirmed illicit connections are being followed up by the Town through further investigation and the remainder have been referred to the Code Compliance Office for enforcement action follow up.

D. Construction Site Stormwater Runoff Control and Post-Construction Stormwater Management

1. Findings:

Construction Site Ordinance

On December 18, 2007, the Town adopted the Stormwater Management Local Law that requires construction sites that will disturb greater than or equal to one acre of land within the Town to develop a Stormwater Pollution Prevention Plan (SWPPP) that is equivalent to State standards. This local law also specifies the Town notification procedures and enforcement mechanisms including stop work orders, notices to correct violations, fine and imprisonment. The Town's Stormwater Management Local Law is not mentioned in the Town's SWMP Plan.

Construction Site Inventory

The Town maintains an active construction site inventory in the form of an electronic spreadsheet that includes all construction sites within the Town that disturb greater than or equal to one (1) acre of land. According to Town representatives, this inventory is based on the NYSDEC database of permitted construction sites as well as additional construction sites the Town identifies that are not in the NYSDEC database. At the time of the Audit, the Town's construction site inventory included forty-two (42) construction sites, its name, the location, the

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date of the last inspection conducted and inspection report submitted to the Town, site contact name, developer name and NYSDEC SPDES permit number for each site.

The Town maintains an inventory of post-construction stormwater management practices owned and/or operated by the Town as part of the Town Owned Properties list and Stormwater Facility Outfall Inventory and Assessment. According to Town representatives, all eighty-four (84) Town stormwater facilities have been inventoried and mapped within the last two (2) years.

SWPPP Review

The Stormwater Management Local Law also includes SWPPP requirements and the SWPPP approval process. The Local Law states “Any applicant requesting site plan approval or a permit for land disturbance activity which would require the disturbance of one or more acres of land shall also include with a submission a SWPPP that shall be reviewed and approved by the Stormwater Management Officer prior to issuance of the final site plan approval or a permit.” Mr. John Gauthier, P.E., of the Town of Greece is the designated Stormwater Management Officer and reviews all submitted SWPPPs.

According to Mr. Gauthier, when reviewing a SWPPP he utilizes the NYSDEC SWPPP Review Checklist (see Attachment N), the SWPPP requirements listed in the Local Law, the state Stormwater Design Manual and the SWPPP requirement section of the NYSDEC SPDES Construction General Permit. According to Mr. Gauthier, after a SWPPP has been reviewed, comments requiring revisions are sent back to the applicant via a letter from the Town Planning and Public Works Departments. Additionally, all site plans submitted to the Town are open to public comment prior to SWPPP approval. Once a SWPPP is considered acceptable, the Town utilizes the NYSDEC MS4 SWPPP Acceptance Form, signed by the Town and sent to the developer. The Town maintains a hardcopy of all correspondence between the applicant and the Town with SWPPP documents.

The Town Planning Department and the Department of Public Works coordinate prior to the approval of a construction site. According to Town representatives, construction sites are required to have a pre-construction meeting with the Town prior to Town approval. The Town utilizes a Pre-Construction Meeting checklist which includes a sign-in list, developer contact information, Notice of Intent (NOI) filing, signed SWPPP, weekly reporting requirement, construction schedule and Building Department requirements such as utility representatives. The Town utilizes the Pre-Construction Meeting to ensure that an NOI has been submitted to the NYSDEC prior to the commencement of construction activity.

According to the Town’s Annual Reports, the Town reviewed twenty-four (24) SWPPPs between 2009 and 2011. The Town’s SWMP Plan describes the SWPPP review process but does not include the associated checklist and how the SWPPP review process will be documented.

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Construction Site and Post-Construction Inspections

The Stormwater Management Local Law requires construction site applicants to notify the Town at least forty-eight (48) hours prior to specific milestones including, the start of construction, completion of final landscaping and closeout for the purposes of the Town to conduct an inspection prior to, during and after these milestones.

According to the SWMP Plan and Town representatives, active construction sites within the Town are required to submit weekly (or bi-weekly, if required) SWPPP inspection reports conducted by the site to the Town. According to Town representatives, the purpose of this is to ensure that construction sites are conducting the required site inspections, accurately documenting the inspections and maintaining the site as required by the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-10-001 ("Construction General Permit" or "CGP"). The Coalition developed a SPDES for Construction Activities Standardized Qualified Inspector Form for the sites to use as a template or guide for conducting their own inspections (see Attachment O). The Town then uses the submitted SWPPP inspection reports as part of the Town inspection process as described in the next paragraph.

The Town has two (2) designated erosion and sediment control inspectors, Mr. John Freel and Ms. Kim Hawkins. According to the Town representatives, the Town receives electronic copies of routine SWPPP inspection reports from the construction sites and uses the site conducted inspection reports as a reference to compare to site conditions when conducting Town inspections. Additional notes are documented by the Town inspector in a field notebook. According to Town representatives, the Town inspects all active construction sites within the Town on an approximate weekly basis. According to Town representatives, if deficiencies are noted in the Site's inspection report, and improvements have not been made at the time of the Town inspection, the Town inspector follows up with the Developer. If the Site's inspection report does not accurately reflect the Site conditions then the Town inspector follows up with the site's inspector. If the Town determines that no improvements are necessary at the time of the Town inspection then the Town inspector files the report in the Town's files.

Town construction site inspections are a coordinated effort between the Town Technical Services and the Department of Public Works. The Town Technical Services has developed written procedures for these inspections and are detailed in its Stormwater Management Technical Services Standard Operating Procedure booklet. According to the booklet, Technical Services is responsible for conducting inspections when erosion and sediment control measures have been installed and stabilized, final grading has been completed, at the close of the construction season and at the final landscaping of an individual home construction site. The booklet also contains an inspection report to be used by Technical Services when it conducts construction site inspections and the report includes specifics regarding sediment control (see Attachment P). Construction site inspection procedures and follow up are not detailed in the Town's SWMP Plan.

According to the Town's Annual Reports, the Town inspected 100% of active construction sites more than once each reporting year between 2009 and 2011.

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The Town utilizes a post-construction inspection checklist primarily for documenting routine inspections of the four (4) largest Town stormwater management facilities on a monthly basis including the Deschel Drive Detention Basin (see Attachment Q) and other facilities. The post-construction facility checklist includes the date, time, weather conditions, condition of the gate and locks, debris cleaned, gage reading and opening height of the control gate. According to Town representatives, the Town has inspected all 84 Town stormwater facilities within the last two (2) years. According to Town representatives, on a weekly basis Town maintenance staff pick up litter and visually inspect structures at all Town owned or operated ponds. The Town maintenance staff document this work in a Foreman's notebook and in the Service-Request database.

Below is a summary of post-construction stormwater management practices inventoried, inspected and maintained by the Town according to the Town's completed Annual Reports:

Table 3

Annual Report	Post-Construction Stormwater Management Practices		
	Inventoried	Inspected	Maintained
2009	28	103	0
2010	138	48	16
2011	130	82	32

Construction Site Enforcement

The Town's Stormwater Management Local Law specifies enforcement mechanisms including stop work orders, notices to correct violations, fines and imprisonment.

According the Town's Annual Reports, the Town issued six (6) notices to correct violations and four (4) stop work orders between 2009 and 2011 for construction site violations of the Town's local law.

The Town's Stormwater Management Technical Services Standard Operating Procedure booklet contains a Code Compliance Complaint Process for Stormwater Management which is a flow chart of the enforcement escalation process implemented by the Town in the event that a violation is identified at a construction site by a Building inspector (see Attachment R). This is also used by the Town as its general enforcement escalation procedures. According to Town representatives, the construction site inventory is used to track compliance and to prioritize follow up enforcement action to be taken by the Town. Town enforcement procedures are not included in the Town's SWMP Plan.

Notice of Termination

According to Town representatives, Mr. Freel conducts a final inspection at all construction sites prior to NOT submission and then signs the MS4 acceptance statement on the NOT if the site is acceptable. The final inspection procedure prior to NOT submission is a requirement in the Town's Stormwater Management Local Law.

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According to the NYSDEC construction permittee database at the time of the Audit, the 684 Long Pond Road, Greece Retail Center and Hampton Ridge Shopping Center construction sites located within the Town received SPDES permit coverage but have not yet submitted a NOT. According to Town representatives, construction has ceased or been completed at these three (3) construction sites.

Construction Site Operator Training

According to Town representatives, the Town uses the Pre-Construction Meeting to implement a program to educate construction site owner and/or operators regarding Town program requirements as well as ensure that construction site operators have received erosion and sediment control training prior to doing work in the Town. During the Pre-Construction Meeting, the Town distributes guidance such as the SWPPP inspection checklist and a SWPPP template. At the time of the Audit, the Pre-Construction Meeting checklist developed by the Town did not include whether or not the construction site operator had received erosion and sediment control training.

2. Field Components:

During the Audit, EPA visited five (5) construction sites located within the Town to assess the Town's implementation of its construction site stormwater runoff control program: Hampton Ridge Shopping Center, Greece Retail Center, Canal Landing Boulevard/Gateway Landing, Legends West and Regency Park Subdivision construction sites. During the Audit, EPA also visited the Deschel Facility to assess the Town's implementation of its stormwater facilities management program. Findings and observations from each site are summarized below:

Hampton Ridge Shopping Center and Greece Retail Center

The Hampton Ridge Shopping Center ("Hampton Ridge") and Greece Retail Center are separately permitted construction sites located adjacent to each other and are both owned and operated by the DiMarco Group. The Hampton Ridge construction site is located at 4320 West Ridge Road in the Town of Greece and is a commercial development that will disturb a total of 64.4 acres. According to the NYSDEC database, the NYSDEC received an NOI from Hampton Ridge on March 1, 2011 and subsequently granted CGP coverage to the site (SPDES ID NYR10T989).

The Greece Retail Center construction site is located at 4110-4190 West Ridge Road adjacent to Hampton Ridge in the Town of Greece and is a commercial development that will disturb a total of twenty-three (23) acres. According to the NYSDEC database, the NYSDEC received an NOI from Greece Retail Center on December 9, 2003 and subsequently granted CGP coverage to the site (SPDES ID NYR10G384). Stormwater discharges from the site enter catch basins located on Creek House Drive via the vegetated swale and outfall pipe and ultimately discharge to Larkin Creek.

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On September 17, 2012, the DiMarco Group emailed the Town of Greece to submit to the Town a notice to reduce the frequency of site inspections at the Greece Retail Center construction site and to certify to the NYSDEC that the site has been stabilized along with photograph documentation.

On September 19, 2012, EPA accompanied by the Town inspected the Hampton Ridge and Greece Retail construction sites. At the time of the Audit, neither site had submitted an NOT to the NYSDEC. At the time of the inspection, both sites were inactive and overgrown with vegetation. At the Greece Retail Center site, EPA observed a constructed pond area containing cattails and standing water with downed silt fencing around the perimeter and downstream of the pond EPA observed unvegetated areas of the swale including a sink hole. EPA and the Town both identified and noted that the sites failed to achieve final stabilization and submit NOTs in accordance with the requirements of the Construction General Permit. Additional details of this inspection have been documented by EPA in a separate inspection report.

Gateway Landing

The Gateway Landing ("Gateway") construction site, located off Canal Landing Boulevard in the Town of Greece at Bellwood Drive in the Town of Gates, is a multi-family residential complex that will disturb a total of twelve (12) acres. According to the NYSDEC database, the NYSDEC received an NOI from Gateway Landing on April 12, 2012 and subsequently granted CGP coverage to the site (SPDES ID NYR10V310). According to Town documentation, on February 27, 2012 the Town of Greece first identified that active construction was occurring within the Town of Greece at Gateway Landing without the required Town approval. On March 7, 2012, the Town of Greece issued a stop work order to the Gateway Landing construction site owner for failure to obtain necessary approvals from the Town prior to initiating site construction in violation of the Town of Greece rules and regulations. On April 19, 2012, the Town of Greece issued a Court Appearance Ticket to the owner for failing to comply with the stop work order. On May 1, 2012, the Town of Greece scheduled a trial date for the owner of the construction site to appear. At the time of the Audit, Town representatives and Gateway Landing were in the process of approving site plans.

On September 19, 2012, EPA accompanied by the Town inspected the Gateway Landing construction site. The portion of the site within the Town of Greece included a constructed roadway and construction entrance covered in mulch. Stormwater discharges from the portion of the site within the Town of Greece flows northwest onto Canal Landing Boulevard where two (2) stormwater catch basins were observed. EPA also observed mulch on Canal Landing Boulevard from the construction site. Construction within the portion of the site located within the Town of Greece was inactive at the time of the Audit. EPA led the inspection of the remainder of the site located within the Town of Gates and the details of this inspection have been documented by EPA in a separate inspection report.

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Legends West – Creston Court and Janes Road

Legends West (“Legends”) construction site, located at the intersection of Creston Court and Janes Road, is a single-family home subdivision in the Town of Greece that will disturb a total of fifty-eight (58) acres. According to the NYSDEC database, the NYSDEC received an NOI from the site on May 19, 2003 and subsequently granted CGP coverage to the site (SPDES ID NYR10E470). According to the NOI, stormwater discharges from the construction site enter a tributary to Buck Pond via the storm sewer system that connects to a permanently installed Town owned and operated pond that outlets at Kirk Road. According to Town documentation at the time of the Audit, the last inspection conducted at the site was by Ms. Kim Hawkins on September 17, 2012 and no deficiencies or concerns were noted.

Mr. Duane Buck of the Town of Greece conducted the site inspection at the time of the Audit and walked EPA inspectors through his routine inspection procedure, consisting of reviewing the site’s submitted inspection reports, reviewing previous Town inspection notes and evaluating the conditions of the site’s BMPs. Mr. Buck, accompanied by EPA, walked the perimeter of the Site, looked in constructed catch basins and observed catch basins surrounded by wood frames and fabric.

Mr. Buck observed and noted the following items, deficiencies and/or concerns at the site at the time of the Audit:

- Sediment tracking on road;
- Concrete pieces in catch basin;
- The third catch basin in the back of a lot contained some sediment, lawn needs to be re-graded and seeded, some erosion of lawn towards a catch basin;
- Soil pile needs to be moved or stabilized;
- Area seeded should have mulch or hydroseed;
- Portion of perimeter silt fencing in vegetation overgrown;
- Constructed rock dams are not in accordance with plan design; and
- Stone needs to be added at end of swale as specified in the plan.

EPA did not identify any additional deficiencies at the Legends site at the time of the Audit. Mr. Buck stated that his next step is to document his observations in his log book and to notify the developer directly of the observed deficiencies. Mr. Buck stated that if the fixes were not remedied at the next Town inspection, within the week, then a more formal notification of deficiencies would be necessary.

Regency Park Subdivision

Regency Park Subdivision (“Regency”) construction site, located at the intersection of Janes Road and Rangers Court, is a single-family home subdivision in the Town of Greece that will disturb a total of 51.6 acres. According to the NYSDEC database, the NYSDEC received an NOI from the Regency Park Subdivision on May 3, 2010 and subsequently granted CGP coverage to the site (SPDES ID NYR10S499). Stormwater discharges from the construction site enter Round

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Pond Creek via ponds on-site that outfall the creek. According to Town documentation at the time of the Audit, the last inspection conducted at the site was by Mr. Duane Buck on September 18, 2012. The Town of Greece's conclusion of that inspection was that the construction site's inspection conducted on September 17, 2012 was accurate and that corrective actions had been taken.

Mr. Duane Buck of the Town of Greece conducted the site inspection at the time of the Audit and walked EPA inspectors through his routine inspection procedure, consisting of reviewing the site's submitted inspection reports, reviewing previous Town inspection notes and evaluating the conditions of the site's BMPs. Mr. Buck, accompanied by EPA, walked the perimeter of the site and observed a vegetated buffer around the disturbed portions of the site and a designated plastic lined concrete washout.

Mr. Buck observed and noted in his field book sediment tracking on the road and sections of disturbed areas in need of seeding at the time of the Audit to follow up with the contractor. EPA did not identify any additional deficiencies and/or concerns at the Regency site at the time of the Audit.

Deschel Facility

The Deschel Facility is a stormwater management facility constructed by the Town over thirty (30) years ago, according to Town representatives. According to Town representatives, this facility is identified by the NYSDEC as the Round Pond Creek Dam. The Deschel Facility is located between Cherry Creek Lane and Ridgeway Avenue in the southern section of the Town of Greece near the border of the Town of Gates. According to the Town of Greece representatives, this stormwater management facility manages stormwater from the upper Round Pond Creek entering the Town of Greece to mitigate the negative stormwater impacts of development upstream in the Town of Gates. At the time of the Audit, EPA observed a vegetated bermed structure, standing water in the upstream portion of the facility, a depth marker and bar rack. Town representatives stated that they are in the process of acquiring additional land within the Town of Greece to construct additional stormwater management facilities.

3. Addendum:

On October 15, 2012 subsequent to the Audit, the Town of Greece transmitted twenty-three (23) letters to construction sites within the Town where construction had ceased but the site had not yet submitted a NOT according to the NYSDEC database, including the 684 Long Pond Road and the Greece Retail Center. The letters stated that the sites must achieve final stabilization and submit an NOT in compliance with the Construction General Permit to the NYSDEC with fourteen (14) days or the Town will initiate formal enforcement action. According to Town representatives, follow up actions with each construction site are ongoing. Additionally, the Town of Greece submitted to EPA correspondence between the Town and the owners of the Hampton Ridge construction site requiring the submission of an NOT after achieving final stabilization at the site.

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On November 30, 2012 subsequent to the Audit, the Town of Greece submitted to EPA a revised Pre-Construction Meeting Template that includes discussing with the construction site operator permit requirements regarding “trained contractors” and “qualified inspectors”. The Town of Greece utilizes this revised template to document if contractors and inspectors have received the necessary training including the NYSDEC sponsored 4-hour training (see Attachment S).

E. Pollution Prevention / Good Housekeeping for Municipal Operations

1. Findings:

Inventory and Mapping

The Town maintains a list of Town owned properties and facilities including the Town Hall, Public Works Building, Department of Public Works Garage, Bus Garage, Compost Management Site, parking lots and parks. The Town’s SWMP Plan does not include this list or a reference to it. At the time of the Audit, Town facilities were not included in the Town’s map but according to Town representatives, the Town facility inventory can be added to the GIS database.

According to Town representatives, a total of 5,060 catch basins and 2,888 storm sewer manholes have been mapped and inventoried by the Town at the time of the Audit. Each catch basin is mapped with an individual identification number and is searchable by location.

Municipal Operations and Facilities Self-Assessments

The Town has developed a list of Best Management Practices (BMPs) implemented as part of the Pollution Prevention and Good Housekeeping for Municipal Operations program. The BMPs are listed in the Town’s SWMP Plan and in the DPWs Procedures and Policies Manual. The categories of BMPs include fleet maintenance operations, parks, open space and open waterways, rights of ways, roads, sewer division, snow and ice operations (see Attachment T).

On November 13, 2009, the Town conducted an initial DPW Municipal Operation Self-Audit that included a brief evaluation of the Town Hall, Police Department, Parks, Yard Waste Facility and the DPW Yard (see Attachment U). This initial stormwater audit identified potential pollutant sources at the DPW yard. The 2009 initial Self-Audit identified “a potential need to dye test unmapped areas of the sewer system to identify sewer connections including the vehicle wash area”. The 2009 initial Self-Audit identified vehicle washing outside of wash bay, a car battery stored outdoors and petroleum spills outdoors at the DPW garage as potential sources of pollutants. According to Town representatives, corrective actions were taken as a result of this initial Self-Audit to address the identified sources of pollutants.

On August 27, 2012, the Town conducted a DPW Self-Audit of the DPW Yard (see Attachment V). The 2012 Self-Audit identified the need for several follow up actions including “close an open parts-washer lid”, “add a storage area sign” and “move antifreeze containers indoors and

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into secondary containment”. The 2012 Self-Audit also identified areas of concern including the vehicle wash area and salt and material storage areas.

According to Town representatives, road kill is handled by DPW through service request documentation and is taken to the Transfer Station to be composted.

Deicing Activities and Salt Storage

The Town’s salt is stored at the DPW yard located at 647 Long Pond Road in a salt shed. According to Town representatives, the Town has stored salt in a roofed shed since at least 1988. The Town utilizes mined salt and sand/salt mixtures for deicing Town maintained roads. The Town’s SWMP Plan includes BMPs for salt storage and application aimed at optimizing and reducing the use of salt. According to Town representatives, the Town utilizes calcium chlorate to add to the salt to reduce the freezing point. The SWMP Plan does not include tracking salt use.

Vehicles

According to Town representatives, approximately eighty (80) DPW, Police and Tax Department vehicles are maintained at the DPW Yard. According to Town representatives, the Fire Department and Public School are separate entities from the Town and service their own vehicles.

Parks

According to the Town website and the Town’s property inventory, the Town owns and maintains approximately seventeen (17) parks. According to Town representatives, eight (8) of the Town parks contain restrooms and all are connected to the sanitary sewer with the exception of Braddock Bay Park located at 199 East Manitou Road which is connected to a septic system that is pumped to the sanitary sewer system every two (2) years.

According to Town representatives, the Town has a pet waste ordinance and an ordinance prohibiting goose feeding. Details of these requirements are not clear on the Town website and were not located in the Town Code on its website. Town representatives also stated that a common practice that the Town implements is to maintain a buffer area with higher vegetation around ponds to discourage geese from inhabiting the area.

Pesticide, Herbicides and Fertilizers

According to Town representatives, pesticides, herbicides and fertilizers are not applied to Town properties. Annual Reports submitted by the Town to the Coalition report “blank” as the amount of pesticides and fertilizers applied in the 2009 through 2012 reports.

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Catch Basin Cleaning

According to Town representatives, the Town utilizes two (2) jet/vac trucks and one (1) flush truck to clean catch basins. According to Town representatives, material removed from catch basins within the Town is taken to the Transfer Station for disposal. According to Town representatives, the amount of material removed from catch basins is documented at the Transfer Station by weighing the Truck. According to Town representatives, not all of the 5,060 catch basins within the Town are cleaned every year and that catch basins are inspected and cleaned as part of the Roads Program when new roads are constructed or existing roads are resurfaced. Catch basins are also cleaned in response to complaints and in known problem areas. Catch basin cleaning is documented in service requests. According to the Town's 2009 and 2010 Annual Reports, 150 catch basins were inspected and maintained as needed each year. According to the Town's Annual Reports, 217 catch basins were inspected and maintained as needed in 2011 and 370 catch basins were inspected and maintained as needed in 2012. Catch basin cleaning and documentation is not detailed in the Town's SWMP Plan.

Street and Parking Lot Sweeping

According to Town representatives, the Town utilizes two (2) wet street sweepers to conduct street sweeping within the Town. According to Town representatives, material removed from street sweeping is taken to the Transfer station for disposal. According to Town representatives, the amount of material removed from street sweeping is documented at the Transfer Station by weighing the Truck. According to the Town's 2009 and 2010 Annual Reports, 520 miles of streets were swept each year. In 2011, 566 miles of streets were swept and in 2012, 295 miles of streets were swept. According to Town representatives, there are approximately 512 miles of streets maintained by the Town and the 2012 figure was reported as double lane miles. According to Town representatives, all Town maintained streets are swept on an at least annual basis. According to Town representatives, the Town's annual procedure for street sweeping begins in the early Spring with the main roads swept first, then roads in the older section of the Town located in the east is swept and then move west through the remainder of the Town. The Town also targets roads for sweeping as part of the Roads Program when roads are resurfaced within the Town. The Town also targets known problems areas for repeat street sweeping. The Town keeps track of street sweeping and parking lot sweeping by highlighting a Town map. According to the Town's 2009 and 2010 Annual Reports, 10 acres of municipal parking lots were swept each year. In 2011, 23 acres of parking lots were swept and in 2012, 19 acres of parking lots were swept. According to Town representatives, there are a total of 18.9 acres of municipal parking lots within the Town. Street sweeping procedures and documentation are detailed in the Town's SWMP Plan.

Spill Response

According to Town representatives, spill response is typically initiated by a resident calling 911 which is then forwarded to the Town DPW dispatch office. Once received at the DPW dispatch office, the Town Work Area Foreman responds, consistent with the Town of Greece DPW Procedures and Policies manual in the event of a chemical spill in the roadway, by reporting to

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the NYSDEC and spill responses are documented in Service Requests. The Town has developed additional BMPs for responding to spills at municipal facilities (primarily the DPW garage) as outlined in the Town's SWMP Plan (see attachment T). According to the Town's SWMP Plan, oil and fluid leaks from vehicles are responded to immediately and absorbed using floor dry or absorbent towels that are then disposed of properly. These spills are documented using the Spill and Storm H2O Incident Report Log located in the shop office at the DPW. According to Town representatives, all Town foremen are equipped with spill kits in their trucks.

Waste Management

Household hazardous waste collection is organized and implemented annually by Monroe County and the Coalition. The location of the annual household hazardous waste collection day rotates between towns within Monroe County and collects paint, pharmaceuticals, and used oil etc. Additionally, Town representatives stated that the County documents and tracks material collected by the County.

The Town collects used oil and household chemicals at the Town DPW. Collection events are regularly scheduled and notices are mailed to Town residents. According to Town documentation, the Town collects approximately 3,500 gallons per year of used motor oil.

According to Town representatives, household waste is collected curbside by multiple private garbage hauling companies that are permitted by the Town but are paid directly by residents. Through the permitting process, the Town requires all garbage haulers to inspect vehicles prior to use. It is unclear if the permits specify compliance with requirements of the MS4 permit. According to the Town's Refuse License List provided by the Town for July 2012 to July 2013 there are 19 licensed garbage haulers within the Town. Tree trimming and leaf waste is collected curbside by the Town Highway Department to be ground into woodchips for compost at the Transfer Station.

According to Town representatives, garbage at municipally owned facilities is removed by DPW approximately four (4) times a week in season (May through November) and in the off-season garbage barrels are removed from the facilities. The DPW then takes the collected garbage directly to the Monroe County transfer station.

2. Field Components:

During the Audit, EPA observed three (3) Town of Greece municipal facilities. Findings and observations at each facility are summarized in the paragraphs below:

DPW Yard / Garage / Shop

The DPW Yard, Shop and Garage (DPW Yard) are Town owned and operated facilities located at 647 Long Pond Road adjacent to the DPW office building. The DPW Yard consists of a roofed salt shed, outdoor vehicle fueling, outdoor double-walled 1,000 gallon above ground waste oil tank, roofed vehicle washing bays and roofed vehicle maintenance shop. During the

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Audit, EPA did a walk-through of the Site. The drains located within the shop discharge to an oil and water separator and then to the sanitary sewer. According to Town representatives, the separated oil drains to a 500 gallon holding tank which is cleaned two (2) times a year. The outdoor waste oil tank is used to collect residents' waste oil and is locked by the Town to prevent misuse. EPA observed monthly reports completed by the Town of above-ground storage tanks, speedy-dri being used on fluid spills in the roofed garage, and an incident log containing vehicle fluid leaks, BMPs and actions taken for each incident dated July 27, 2010 through September 17, 2012. The stormwater catch basins located immediately downhill from the salt storage shed and soil storage shed entrances were surrounded by filter fabric, stone and concrete blocks. Stormwater discharges from the DPW Yard enter the Town MS4 on Long Pond Road. At the time of the Audit, EPA identified the following potential sources of pollutants:

- Vehicle washwater containing detergent from two (2) wash bays discharges into the stormwater catch basin on-site via two (2) connected trench drains;
- Modified coal patch stock pile, uncovered located uphill from a stormwater catch basin lacking sediment protection;
- Four (4) uncovered fuel pumps; and
- Three (3) stormwater catch basins lacking sediment protection located in the uncovered stock pile area downhill from soil stock piles.

Transfer Station / Yard Waste Management Facility

The Transfer Station and Yard Waste Management Facility is a Town owned and operated facility located at 635 Flynn Road. Town residents can pick up compost from this facility. At the time of the Audit, this facility contained compost, concrete waste, black top millings, wood chip, yard debris, soil and animal mortality compost piles. At the time of the Audit, the animal mortality compost pile contained a wood chip base and according the Town representatives, the Town maintains the compost pile in accordance with the Cornell Waste Management Institute "Composting Road Kill" guidance including taking the temperature of the pile and rotating the pile. A tributary to the Northrup Creek flows through this facility and at the time of the Audit a forested vegetative buffer was located between the tributary and the material stock piles.

Compost Management Site

The Compost Management Site is a Town owned and operated facility located at 286 North Greece Road. This facility is locked by the Town and is not open for public use. Approximately ten (10) to fifteen (15) acres of the site is used for compost piles and the majority of the remainder of the sixty-acre property is vegetated. Town maintains the compost pile in accordance with Cornell Waste Management Institute "Municipal Yard Waste Compost" guidance including taking the temperature of the pile and rotating the pile. Once the process is complete, the finished compost product is taken to the Transfer Station to disperse to the Town residents. At the time of the Audit, EPA inspectors did not observe stormwater catch basins or surface water within or immediately adjacent to the facility.

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3. Addendum:

On February 26, 2013, subsequent to the Audit, the Town of Greece submitted to EPA an update regarding the vehicle washwater at the DPW Yard. According to the submission, the Town disconnected the trench drain from the storm sewer system by installing a permanent cap in the lateral connected to the catch basin from the trench drain and filled in the trench drain with stone in preparation for paving.

F. Annual Report Review

1. Findings:

According to Town representatives, the Town holds an Annual Report meeting in March each year to begin preparations of the Annual Report. In the middle of May the Town submits the Annual Report to the Coalition for review and to add outfall inspections and public education and outreach information. By June 1st each year, the Coalition submits a joint Annual Report to the NYSDEC on behalf of all member municipalities required to submit Annual Reports. According to Coalition representatives, a legal notice is posted in a local newspaper and the Annual Reports are posted on the Coalition website prior to submission to NYSDEC for the purposes of allowing the public to comment on the reports. According to Annual Reports, no public comments have been received to date regarding the Annual Reports. Annual Report preparation and submission are not detailed in the Town's SWMP Plan.

The Audit team also reviewed the dates that the last five (5) Annual Reports were received by NYSDEC. All five (5) of the required Annual Reports were received by NYSDEC on time. According to the Permit, the annual deadline for submittal of Annual Reports is by June 1 of the reporting year. Below is a summary of when the last five (5) Annual Reports were received by NYSDEC:

Table 4

Annual Report Year	Period Covered	Date Report is Due	Date Report Received by NYSDEC
2008	March 10, 2007 to March 9, 2008	June 1, 2008	May 29, 2008
2009	March 10, 2008 to March 9, 2009	June 1, 2009	June 1, 2009
2010	March 10, 2009 to March 9, 2010	June 1, 2010	May 28, 2010
2011	March 10, 2010 to March 9, 2011	June 1, 2011	May 31, 2011
2012	March 10, 2011 to March 9, 2012	June 1, 2012	June 1, 2012

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Measurable Goals

The Audit team reviewed measurable goals for all MCMs listed in the Town's 2009 to 2011 Annual Reports ("AR") submitted by the Town to the Coalition and in the Coalition's most recent 2012 Joint Annual Report submitted to the NYSDEC on behalf of the Town. The 2012 Joint Annual Report does not break down MCMs by MS4 and is an overall report on MCM implementation by all twenty-nine (29) member municipalities with the exception of the Good Housekeeping MCM for which the report included member specific implementation details. Because of this, EPA chose to evaluate the Town specific measurable goals submitted in Annual Reports by the Town to the Coalition from 2009 to 2011 as well as the Joint Annual Report submitted by the Coalition in 2012.

The 2012 Joint Annual Report identifies a measurable goal for each of the MCMs with the exception of the Pollution Prevention and Good Housekeeping for Municipal Operations program. Additionally, the Town does not identify a Pollution Prevention and Good Housekeeping for Municipal Operations program measurable goal in its Annual Report to the Coalition. Measurable goals are not listed in the Town's or the Coalition's SWMP Plans.

The Public Education and Outreach program measurable goals listed in the Annual Reports:

- 2009, 2010 and 2011 Town's ARs=No measurable goals identified
- 2012 Joint AR=Public Opinion Water Quality Phone Survey results and website hits

The Public Involvement and Participation program measurable goals listed in the Annual Reports:

- 2009, 2010 and 2011 Town's ARs= No measurable goals identified
- 2012 Joint AR=Number of people participating in stormwater program events on an annual basis

Illicit Discharge Detection and Elimination program measurable goals listed in the Annual Reports:

- 2009 Town's AR=Inspections of residential sanitary and storm sewer connections
- 2010 and 2011 Town's ARs= No measurable goals identified
- 2012 Joint AR=Percent of staff in relevant positions and departments that have received IDDE training

Construction Site Stormwater Runoff Control program measurable goals listed in the Annual Reports:

- 2009 Town's AR=percent of SWPPP's reviewed
- 2010 and 2011 Town's ARs= No measurable goals identified
- 2012 Joint AR=Active construction sites inspected during the reporting period and percent of active construction projects of >1 acre for which enforcement actions were used

Post-Construction Stormwater Management program measurable goals listed in the Annual Reports:

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- 2009, 2010 and 2011 Town's ARs= No measurable goals identified
- 2012 Joint AR=Percent of post-construction stormwater management facilities inspected

Pollution Prevention and Good Housekeeping for Municipal Operations program measurable goals listed in the Annual Reports:

- 2009, 2010, and 2011 Town's ARs= No measurable goals identified
- 2012 Joint AR= No measurable goals identified

G. Potential Violations:

1. Part IV.A of the Permit states that covered entities under GP-0-08-002 must have prepared a SWMP Plan documenting modifications to their SWMP. In accordance with the 2003 permit, the Town was required to have fully implemented its SWMP by January 8, 2008. Parts VII.A and X.B of the Permit specify required SWMP Plan elements. The Town's August 31, 2012 SWMP Plan did not include the following required SWMP Plan elements:
 - a. Developed and updated measurable goals;
 - b. Construction inspection, SWPPP review and IDDE inspection checklists;
 - c. Procedures:
 - i. Enforcement and enforcement escalation
 - ii. IDDE identification and elimination;
 - iii. Catch basin cleaning and documentation;
 - iv. SWPPP review process documentation;
 - v. Post-contractor mapping of outfalls;
 - vi. Public comment period and Annual Reporting process;
 - vii. SWMP Plan revision process; and
 - viii. Maintenance of post-construction stormwater management practices within the Town's jurisdiction.
 - d. Equipment inventory;
 - e. Facility inventory;
 - f. Role of coalition in implementing portions of the SWMP program;
 - g. SWMP implementation organization chart; and
 - h. Stormwater Management Local Law.
2. Part V.C.3b.iii of the Permit states that the Annual Report must include, at a minimum, the identified measurable goals for each of the MCMs; and Part VII.A.6.c of the Permit states, at a minimum, all covered entities must develop, record, periodically assess and modify as needed measurable goals as it relates to the Pollution Prevention/Good Housekeeping for Municipal Operations Minimum Control Measure. Additionally, Part VII.A.6.f.iv of the Permit states that the covered entity shall report on effectiveness of program, BMP and measurable goal assessment. The Annual Reports submitted by the Town of Greece and the Coalition do not list a measurable goal for the Town's Pollution Prevention and Good Housekeeping for Municipal Operations program.

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3. Part VII.A.3.d of the Permit requires all permittees to conduct an outfall reconnaissance inventory, as described in the EPA publication entitled Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment, addressing every outfall within the urbanized area and additionally designated area within the covered entity's jurisdiction at least once every five years, with reasonable progress each year. Although the Town implemented in 2012 a five-year plan to inspect all Town owned outfalls by March 10, 2017, at the time of the Audit, the Town had not conducted outfall reconnaissance inventory at every outfall once every five years between at least 2003 and 2012.
4. Part VII.A.6.a.i of the Permit requires all permittees to develop and implement a pollution prevention/good housekeeping program for municipal operations and facilities that addresses municipal operations and facilities that contribute or potentially contribute POCs to the small MS4 system. EPA inspectors observed inadequate pollution prevention/good housekeeping at the following locations that contribute or potentially contribute POCs to the small MS4 system at the DPW Yard:
 - i. Modified coal patch stock pile, uncovered located uphill from a stormwater catch basin lacking sediment protection;
 - ii. Four (4) uncovered fuel pumps; and
 - iii. Three (3) stormwater catch basins lacking sediment protection located in the uncovered stock pile area downhill from soil stock.

H. Areas of Concern and Recommendations:

1. Part III.B.1 of the Permit states that by January 8, 2013, permittees must assess the potential sources of discharge of stormwater POCs, identify potential stormwater pollutant reduction measures, and evaluate their progress in addressing the POCs. This assessment shall be conducted for the portions of the MS4 storm sewershed that discharge to the listed waters in Appendix 2. Black Creek, Buck Pond, Long Pond, Cranberry Pond and the Genesee River are listed in Appendix 2 of the Permit and the Town of Greece MS4 discharges stormwater to these waterbodies.
2. Part IV.G of the Permit states that when an MS4 relies upon any third party entity to develop or implement any portion of its SWMP, the MS4 must, through a signed certification statement or agreement provide adequate assurance that the third parties will comply with Permit requirements. The Town provides licenses to garbage haulers in Town but the third party contractors have not signed the certification statement listed in the MS4 Permit. The Town should consider the use of the certification statement language as a requirement to license garbage haulers within the Town.
3. The Town should consider the use of number of completed maintenance and inspections of post-construction controls as a measurable goal.

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4. The Town should clearly display for visitors on the Town's website a link to the Coalition or H2O Hero websites to potentially increase the viewership of stormwater related material by Town residents.
5. The Town should keep track of number of pamphlets distributed from the Town office as a measurable goal.
6. Part VII.A.4.a.i of the Permit requires that all permittees develop, implement and enforce a program that provides equivalent protection to the NYSDEC SPDES CGP. The deficiencies identified by EPA at the Legends West construction site on September 20, 2012 are violations of the CGP and must be addressed by the Town. Although the Town noted the deficiencies at the time of the Audit and subsequently followed up with the developer regarding correcting the deficiencies, the deficiencies were not documented by the Town as a result of the September 17, 2012 inspection. The Town should document all violations of the CGP identified by the Town and should Coordinate with the building and engineering departments to ensure compliance with CGP and MS4 permit. The Town should also consider rotating construction sites assigned to Town inspectors to ensure consistency among the various inspectors.
7. The Town should document and track salt use within the Town.
8. According to Town representatives, the Town has a pet waste ordinance and an ordinance prohibiting goose feeding. Details of these requirements are not clear on the Town website and could not be located in the Town Code on its website.
9. At the time of the Audit, Town facilities were not included in the Town's map but according to Town representatives, the Town facility inventory can be added to the GIS database. The Town should add all Town facilities to the GIS database.